



**DEVELOPMENT  
SERVICES  
DEPARTMENT**

# The City of Morgantown

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October 20, 2016

Sabraton Properties, LLC  
c/o Michael J. Saab  
1399 Stewartstown Road  
Morgantown, WV 26505

**RE: V16-34 / Sabraton Properties, LLC / 1589 Earl Core Road  
Tax Map 31, Parcels 105.1, 108, 111, and 149**

Dear Mr. Saab,

This letter is to notify you of the decision made by the Board of Zoning Appeals concerning the above referenced variance petition for variance relief from Article 1369 as it relates to signage at 1589 Earl Core Road.

The decision is as follows:

**Board of Zoning Appeals, October 19, 2016:**

1. Each of the Findings of Fact was found in the positive as stated in Addendum A of this letter.
2. The Board granted a 61.62 square foot variance from the maximum wall sign area standard and granted a 6.24 inch variance relief from maximum height standard without conditions.

This decision may be appealed to the Circuit Court of Monongalia County within thirty (30) days. Any work done relating to decisions rendered by the Board of Zoning Appeals during this thirty-day period is at the sole financial risk of the petitioner.

The above referenced approval is set to expire in twelve (12) months unless you can demonstrate that it has been activated as evidenced by permits, construction, or required licenses. This expiration deadline may be extended to eighteen (18) months upon prior written request of the Board. Please note that sign and building permits must be obtained prior to the commencement of work for which variance relief was granted herein.

Should you have any questions or require further clarification, please contact the undersigned. We look forward to serving your plans review and permitting needs.

Respectfully,

Stacy Hollar  
Executive Secretary

## **ADDENDUM A – Approved Findings of Fact**

**V16-34 / Sabraton Properties, LLC / 1589 Earl Core Road**

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**Finding of Fact No. 1** – The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

Neighboring properties appear to include more total area signage and are of similar commercial uses, which do not appear to harm public health, safety or welfare.

**Finding of Fact No. 2** – The variance arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance, because:

The property includes a service drive, between the public right-of-way and front façade of the structure. Adequate wall signage for the use cannot meet required area maximums as a result.

**Finding of Fact No. 3** – The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:

Granting this variance appears to permit the end user to provide adequate presentation to the public.

**Finding of Fact No. 4** – The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:

The use will be able to operate as planned, utilizing wall signage as opposed to multiple or significantly sized site signs, all while providing a service access to adjoining properties.